



Entered on Docket
May 16, 2011

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

ORDER

JASON W. WILLIAMS, ESQ.
Nevada Bar No. 8310
RICHARD D. YOUNG, ESQ.
Nevada Bar No. 11331
CASSANDRA S. CUMMINGS, ESQ.
Nevada Bar No. 11944
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Attorneys for Movants,
GREYSTONE NEVADA LLC DBA
GREYSTONE HOMES and PN II, INC.

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:)	CASE NO: 09-33776-bam
)	
EXECUTIVE PLASTERING, INC.,)	CHAPTER: 7
)	
)	ORDER GRANTING MOTION FOR
)	RELIEF FROM AUTOMATIC STAY
Debtor.)	
)	Hearing Date: May 3, 2011
)	Hearing Time: 1:30 p.m.
)	Estimated Time: 10 minutes

ORDER GRANTING MOTION FOR RELIEF FROM BANKRUPTCY STAY

Movants' Greystone Nevada LLC dba Greystone Homes' and PN II, Inc. (hereinafter collectively referred to as "Movants") Motion for Relief from Automatic Stay as to Executive

1 Plastering, Inc., having come on for hearing before the Bankruptcy Court on the 3rd day of May,
2 2011, and the Court having reviewed the Motion, the points and authorities in support and the
3 pleadings and papers on file, being fully advised in the premises and good cause appearing,

4 **IT IS HEREBY ORDERED**, Movants' Motion to Lift Automatic Stay as to Executive
5 Plastering, Inc. is hereby **GRANTED** pursuant to 11 USC § 362(d)(1).

6 **IT IS FURTHER ORDERED** that the automatic stay imposed by 11 U.S.C. §362 in
7 the above-referenced Chapter 7 bankruptcy proceeding is lifted so as to allow Movants to
8 assert their claims against the liability insurance policies of Debtor.

9 The lift of the automatic stay as granted by this Order is subject to the following
10 conditions:

- 11 1. Debtor's insurance company defending it in the above-referenced litigations/claims;
- 12 2. Debtor's insurance company not looking to Bankruptcy Estate to pay any funds for
13 costs or defense;
- 14 3. Movants waive any right to the funds in the Bankruptcy Estate and are only looking
15 to the insurance policy proceeds; and

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4. Movants' recovery by way of settlement or Judgment shall be limited to monetary coverage provided by Debtor's applicable insurance policies.

Dated this 12th day of May, 2011.

Submitted by:

KOELLER NEBEKER CARLSON &
HALUCK, LLP

BY:


JASON W. WILLIAMS, ESQ.

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Attorney for Movants, GREYSTONE

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HOMES and PN II, INC.

1
2 In accordance with LR 9021, counsel submitting this document certifies as follows:

3 ___ The court has waived the requirement of approval under LR
4 9021.

5 ___ This is a chapter 7 or 13 case, and either with the motion, or at
6 the hearing, I have delivered a copy of this proposed order to all counsel
7 who appeared at the hearing, any unrepresented parties who appeared at
8 the hearing, and each has approved or disapproved the order, or failed to
9 respond, as indicated below [list each party and whether the party has
10 approved, disapproved, or failed to respond to the document]:

11 ___ This is a chapter 9, 11, or 15 case, and I have delivered a copy
12 of this proposed order to all counsel who appeared at the hearing, any
13 unrepresented parties who appeared at the hearing, and each has approved
14 or disapproved the order, or failed to respond, as indicated below [list each
15 party and whether the party has approved, disapproved, or failed to
16 respond to the document]:

17 X I certify that I have served a copy of this order with the
18 motion, and no parties appeared or filed written objections.

19 KOELLER, NEBEKER, CARLSON
20 & HALUCK, LLP

21 By: 

22 JASON W. WILLIAMS, ESQ.

23 Nevada Bar No. 8310

24 RICHARD D. YOUNG, ESQ.

25 Nevada Bar No. 11331

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